

Application No. 10/040,925  
Response dated December 6, 2004  
Reply to Office Action of November 4, 2004

Atty Dkt No. 7610-0040.20

164/  
[Signature]



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:  
Richard N. ELLSON et al.

Confirmation No.: 5528

Serial No.: 10/040,925

Group Art Unit: 1641

Filing Date: December 28, 2001

Examiner: Nelson C. YANG

Title: DEVICE AND METHOD FOR TRACKING CONDITIONS IN AN ASSAY

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated November 4, 2004, please accept the following Amendments to the Claims, which are a corrected version of the Amendments to the Claims submitted in the Amendment under 37 C.F.R. § 1.111 filed on August 16, 2004.

**Amendments to the Claims** are reflected in the listing of the claims which begins on page 2 of this document.

**Remarks** begin on page 9 of this document.